

PUBLIC NOTICE

HEALTH

THE COMMISSIONER

Medicinal Marijuana Program

Take notice that the New Jersey Department of Health will be accepting petitions to approve additional medical conditions or the treatment thereof as “debilitating medical conditions” pursuant to the Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-3 (Act). The open period to submit petitions begins on August 1, 2016 and ends on August 31, 2016. Any petitions postmarked in any month outside of this open period shall be returned and not accepted for processing.

The Act defines “debilitating medical condition” as follows:

- (1) One of the following conditions, if resistant to conventional medical therapy: seizure disorder, including epilepsy; intractable skeletal muscular spasticity; or glaucoma;
- (2) One of the following conditions, if severe or chronic pain, severe nausea or vomiting, cachexia, or wasting syndrome results from the condition or treatment thereof: positive status for human immunodeficiency virus, acquired immune deficiency syndrome, or cancer;
- (3) Amyotrophic lateral sclerosis, multiple sclerosis, terminal cancer, muscular dystrophy, or inflammatory bowel disease, including Crohn’s disease;
- (4) Terminal illness, if the physician has determined a prognosis of less than 12 months of life; or
- (5) Any other medical condition or its treatment that is approved by the department by regulation.

Petitions for additional medical conditions or their treatments must be submitted by certified mail to the Medicinal Marijuana Program and contain the following information:

(1) The extent to which the condition is generally accepted by the medical community and other experts as a valid, existing medical condition;

(2) If one or more treatments of the condition, rather than the condition itself, are alleged to be the cause of the patient's suffering, the extent to which the treatments causing suffering are generally accepted by the medical community and other experts as valid treatments for the condition;

(3) The extent to which the condition itself and/or the treatments thereof cause severe suffering, such as severe and/or chronic pain, severe nausea and/or vomiting, or otherwise severely impair the patient's ability to carry on activities of daily living;

(4) The availability of conventional medical therapies other than those that cause suffering to alleviate suffering caused by the condition and/or the treatment thereof;

(5) The extent to which evidence that is generally accepted among the medical community and other experts supports a finding that the use of marijuana alleviates suffering caused by the condition and/or the treatment thereof; and

(6) Letters of support from physicians or other licensed health care professional knowledgeable about the condition.

The Department strongly encourages using the Petition Form that is available at <http://nj.gov/health/medicalmarijuana/> or by written request at the address below. Petitions must be sent by certified mail to the following address:

New Jersey Department of Health

Office of Commissioner – Medicinal Marijuana Program

369 South Warren Street

Trenton, NJ 08618

Attention: Michele Stark

Any petitions that do not meet the regulatory requirements above will be denied without further review. Petitions that do meet the above requirements will be deemed bona fide and accepted for further review by the Medicinal Marijuana Review Panel (Panel).

The Department will refer bona fide petitions to the Panel and, on a date to be announced, convene a meeting of the Panel to review the petitions. Petitioners will be given the opportunity to address the Panel. The Panel will issue an initial written recommendation to the Commissioner. Panel recommendations will be posted on the Department's Medicinal Marijuana Program website for a 60-day comment period and then addressed at a public hearing on a date to be announced. After the public hearing, the Department will forward the comments made during the public hearing to the Panel for its consideration. Based on a review of the comments, the Panel will determine whether any changes to its initial recommendation are warranted. If no changes are necessary, the initial recommendation shall be deemed a final recommendation and the Commissioner will make a final determination on the petition.

Further information on the New Jersey Medicinal Marijuana Program may be found at <http://www.state.nj.us/health/medicalmarijuana/>.